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AUG 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/291,227
Applicant(s) : Michael G. Hayek
Filed : April 13, 1999
Title : LUTEIN-CONTAINING SUPPLEMENT AND PROCESS
FOR ENHANCING IMMUNE RESPONSE IN ANIMALS
TC/A.U. : 1617
Examiner : Shengjun Wang
Conf. No. : 1823
Docket No. : P-114
Customer No. : 27,752

NOTICE OF APPEAL UNDER 37 CFR § 1.191

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

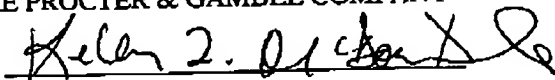
Applicants hereby appeal to the Board of Appeals from the Final Office Action dated March 11, 2005 of the Examiner finally rejecting Claims 1 and 3 - 8.

Attached hereto is a Petition for a Three-Month Extension of Time, and the fee required under 37 CFR § 1.17(a)(3). Please also charge the appeal fee under 37 CFR § 41.20(b)(1), any other processing fee under 37 CFR § 1.17, and any other necessary fees to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for such purpose.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By

Kelly L. McDow-Dunham

Typed or printed name

Attorney for Applicant

Registration No. 43,787

Tel: 513-622-0159

August 12, 2005
Customer No. 27752

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